

REMARKS

Upon entry of the instant Amendment, claims 1, 3-17 and 26-30 will be pending in the application. By this amendment, claims 1, 3 and 26 will have been amended and claims 27-30 have been added. Support for the amendment to claims 1 and 26 and new claims 27-30 is provided in at least paragraphs [0023] and [0024] of the instant published application 2005/0122204. No new matter is added. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

35 U.S.C. § 112, 2nd Paragraph, Rejection

Claims 3-5 were rejected as indefinite because, the Examiner asserts, claim 3 recited the term "a resistance" and it is not clear what this term refers to.

While Applicant disagrees that claim 3 is unclear and indefinite, Applicant has, in an effort to advance prosecution, amended claim 3 to clarify that the resistance refers to that of the electronic fuse, as correctly assumed by the Examiner.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the above-noted rejection of these claims.

35 U.S.C. § 102 Rejections***Over Kaltenborn***

Claims 1, 3-17 and 26 were rejected under 35 U.S.C. § 102(e) for being allegedly anticipated by U.S. Patent No. 6,710,699 to KALTENBORN et al.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, a single prior art reference must disclose each and every element as set forth in the subject claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that a *prima facie* case of anticipation cannot be established because KALTENBORN fails to teach each and every element of the claims.

More particularly, independent claim 1 recites, *inter alia*,

an insulating film that is a resistor;
at least two conductive regions partially covering the insulating film.

Additionally, independent claim 14 recites, *inter alia*,

a polysilicon film with a top surface;
a conductive film disposed on the top surface of the polysilicon film forming a plurality of separate conductive regions.

Finally, independent claim 26 recites, *inter alia*,

an insulating film being a polysilicon resistor;
multiple conductive strips covering the insulating film.

Applicant submits that KALTENBORN does not disclose or even suggest at least these features. Applicant acknowledges that KALTENBORN discloses a fuse which utilizes a conductive layer 6 arranged between two insulating layers 4 and 5 (see Figs. 2 and 6). Applicant also acknowledges that KALTENBORN discloses that the layer 4 can be "a ceramic or glass plate" and that layer 5 can be "crosslinked silicone polymer or a mixture of crosslinked silicone polymers" (see col. 4, lines 24-25 and col. 5, lines 48-52).

However, Applicant submits that KALTENBORN does not disclose, or even suggest, that the layers 4 or 5 can be a resistor (claim 1) and/or a polysilicon film (claim 14) and/or a polysilicon resistor (claim 26).

To the contrary, as explained above, KALTENBORN merely discloses that the layer 4 can be “a ceramic or glass plate”. A ceramic or glass plate is not *per se* a resistor and/or a polysilicon film, much less, a polysilicon resistor. Furthermore, while the Examiner has alleged that layer 5 in KALTENBORN is disclosed as a polysilicon film, the Examiner has failed to appreciate the fact that a silicone polymer is not a polysilicon film. KALTENBORN merely discloses the layer 5 as “crosslinked silicone polymer or a mixture of crosslinked silicone polymers”. There is clearly no disclosure or suggestion, however, with regard to layer 5 being a resistor and/or a polysilicon film, much less, a polysilicon resistor.

Thus, Applicant respectfully submits that independent claims 1, 14 and 26, and claims 3-13 and 15-17, which depend from claims 1 and 14 are allowable.

Accordingly, Applicant respectfully requests that the above-noted rejection under 35 U.S.C. § 102(e) should be withdrawn.

Over McGalliard

Claims 1, 3-12 and 26 were rejected under 35 U.S.C. § 102(b) for being allegedly anticipated by U.S. Patent No. 4,376,927 to McGALLIARD.

Applicant respectfully submits that a *prima facie* case of anticipation cannot be established because McGALLIARD fails to teach each and every element of the claims.

Applicant acknowledges that McGALLIARD discloses various embodiments of a fuse which utilizes a conductive layer arranged on an insulating layer (see figures). However, McGALLIARD does not disclose, or even suggest, that the insulating film can be a resistor (claim 1) and/or a polysilicon resistor (claim 26). Nor has the Examiner demonstrated otherwise. To the contrary, McGALLIARD merely discloses that the insulating layer 12 can be a circuit board "composed of phenolic resin material, thin fiberglass sheet, or a flexible polymer material" (see col. 4, lines 24-26) or a "dielectric material 37" (see col. 6, line 32) or an insulating "solder mask 42" (see col. 7, line 50) or a KAPTON substrate 52 (see col. 8, line 1) or an insulating "solder mask film 54" (see col. 8, line 15) or "a phenolic or fiberglass circuit board blank 94" (see col. 9, line 59) or an insulating "thin fiberglass or flexible polymer" circuit board 144 (see col. 11, lines 25-27) or "a thin, rectangular, flexible insulating substrate 238" (see col. 14, lines 12-14) or "a thin fiberglass or semi-flexible polymer material" 288 (see col. 15, lines 40-43) or "a phenolic or plastic material" 321 (see col. 17, lines 32-34) or "a fiberglass polymer sheet" 328 (see col. 18, lines 19-21) or "a transparent plastic material" 330 (see col. 19, lines 3-6) or a "KAPTON" substrate 404 (see col. 20, lines 53-58). None of these disclosed substrate materials can be properly characterized as a resistor or polysilicon resistor.

Thus, Applicant respectfully submits that independent claims 1 and 26, and claims 3-12, which depend from claim 1 are allowable.

Accordingly, Applicant respectfully requests that the above-noted rejection under 35 U.S.C. § 102(b) should be withdrawn.

Over Montgomery

Claims 1, 3-12 and 26 were rejected under 35 U.S.C. § 102(b) for being allegedly anticipated by U.S. Patent No. 5,479,147 to MONTGOMERY.

Applicant respectfully submits that a *prima facie* case of anticipation cannot be established because MONTGOMERY fails to teach each and every element of the claims.

Applicant acknowledges that MONTGOMERY discloses various embodiments of a fuse which utilizes a conductive layer arranged on an insulating layer (see figures). However, MONTGOMERY does not disclose, or even suggest, that the insulating film can be a resistor (claim 1) and/or a polysilicon resistor (claim 26). Nor has the Examiner demonstrated otherwise. To the contrary, MONTGOMERY merely discloses that the insulating layer 10 can be "alumina" (see col. 3, line 7) or an "arc suppressant glass 26" (see col. 3, lines 65-67) or an "arc suppressant glass 54" (see col. 4, lines 34-35). None of these disclosed substrate materials can be properly characterized as a resistor or polysilicon resistor.

Thus, Applicant respectfully submits that independent claims 1 and 26, and claims 3-12, which depend from claim 1 are allowable.

Accordingly, Applicant respectfully requests that the above-noted rejection under 35 U.S.C. § 102(b) should be withdrawn.

New Claims are also Allowable

Applicant submits that the new claims 27-30 are allowable over the applied art of record. Specifically, claims 27-30 depend from claims 1, 14 and 26 which are believed to be allowable. Additionally, claims 27-30 recite a combination of features which are clearly not disclosed or suggested by the applied art of record. Accordingly, Applicant respectfully requests consideration of these claims and further request that the above-noted claims be indicated as being allowable.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed.

Respectfully submitted,
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